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## SENATE BILL No. 174

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-34-3-2; IC 33-34-3-3.

**Synopsis:** Marion County small claims court jurisdiction. Increases the jurisdictional limit of the Marion County small claims court from \$6,000 to \$12,000 in actions founded on contract, except for actions founded on a contract to rent or lease real property.

**Effective:** July 1, 2005.

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Clark

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January 4, 2005, read first time and referred to Committee on Judiciary.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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## SENATE BILL No. 174

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A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 33-34-3-2 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. **(a)** The court has  
3       original and concurrent jurisdiction with the circuit and superior courts  
4       in all civil cases founded on ~~contract or~~ tort in which the ~~debt or~~  
5       damage claimed does not exceed six thousand dollars (\$6,000), not  
6       including interest or attorney's fees.

7       **(b) Except as provided in section 3 of this chapter, the court has**  
8       **original and concurrent jurisdiction with the circuit and superior**  
9       **courts in all civil cases that are founded on contract in which the**  
10      **debt claimed does not exceed twelve thousand dollars (\$12,000), not**  
11      **including interest or attorney's fees.**

12      SECTION 2. IC 33-34-3-3 IS AMENDED TO READ AS  
13      FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. The court has  
14      original and concurrent jurisdiction with the circuit and superior courts  
15      in:

16              **(1)** possessory actions between landlord and tenant in which the  
17              past due rent; **and**



1           **(2) other civil actions founded on a contract to rent or lease**  
2           **real property in which the debt claimed;**

3           at the time of filing does not exceed six thousand dollars (\$6,000). The  
4           court also has original and concurrent jurisdiction with the circuit and  
5           superior courts in actions for the possession of property where the  
6           value of the property sought to be recovered does not exceed six  
7           thousand dollars (\$6,000). These jurisdictional limitations are not  
8           affected by interest and attorney's fees.

9           SECTION 3. [EFFECTIVE JULY 1, 2005] IC 33-34-3-2 and  
10          IC 33-34-3-3, both as amended by this act, apply to the following:

11          (1) All cases pending in a Marion County small claims court  
12          after June 30, 2005.

13          (2) All cases filed in a Marion County small claims court after  
14          June 30, 2005.

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